

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10510 of 2019

Arising Out of PS. Case No.-203 Year-2018 Thana- RAFIGANJ District- Aurangabad

SIKANDAR KHAN, age 35 years (Male), S/o Noor Alam Khan village
-Charkuppa, P.S- Rafiganj, Dist- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Leelawati Kumari
For the Opposite Party/s : Mr. Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 21-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Rafiganj P.S. Case No. 203 of
2018 registered for the offence punishable under Sections 25(1-
b) a/26 of the Indian Penal Code.

Allegation against the petitioner is recovery of single
barrel country made gun from his possession.

It has been submitted on behalf of the petitioner that
he is innocent and has falsely been implicated in this case.
Petitioner is in custody since 31.10.2018.

Considering the facts and circumstances of the case
and nature of allegation, I am not inclined to enlarge the
petitioner on bail at this stage. Hence, the prayer for bail of the
petitioner is hereby rejected.

However, it is observed that the petitioner named



above be released on bail **after completion of six months in custody**, upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned C.J.M., Aurangabad in connection with Rafiganj P.S. Case No. 203 of 2018, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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